

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

PB LIFE AND ANNUITY CO., LTD., *et al.*,

Debtors in Foreign Proceedings.

JOHN JOHNSTON and EDWARD WILLMOTT, as Joint Official Liquidators on behalf of PB LIFE AND ANNUITY CO., LTD., and as Joint Provisional Liquidators on behalf of NORTHSTAR FINANCIAL SERVICES (BERMUDA) LTD., OMNIA LTD., and PB INVESTMENT HOLDINGS LTD. and PB LIFE AND ANNUITY CO., LTD., NORTHSTAR FINANCIAL SERVICES (BERMUDA) LTD., OMNIA LTD., and PB INVESTMENT HOLDINGS LTD.,

Plaintiffs,

v.

GREGREY EVAN LINDBERG A/K/A GREG EVAN LINDBERG, *et al.*,

Defendants.

Chapter 15

Case No. 20-12791 (LGB)

(Jointly Administered)

Adv. Proc. No. 23-01000 (LGB)

**FOURTH STIPULATION AND ORDER CONCERNING MOTION TO DISMISS
OF DEFENDANT CHRISTA M. MILLER**

WHEREAS, John Johnston and Edward Willmott of Deloitte Financial Advisory Ltd. (“JOLs/JPLs”), in their capacity as the Joint Official Liquidators and authorized foreign representatives for PB Life and Annuity Co., Ltd. (in liquidation), and the Joint Provisional Liquidators and authorized foreign representatives for Northstar Financial Services (Bermuda)

Ltd. (in liquidation), Omnia Ltd. (in liquidation), and PB Investment Holdings Ltd. (in liquidation) (collectively, the “Debtors,” and with the JOLs/JPLs, the “Plaintiffs”), are the Plaintiffs in the instant Adversary Proceeding commenced on January 4, 2023 [ECF No. 1];

WHEREAS, an Amended Complaint was filed on September 27, 2023 [ECF No. 129];

WHEREAS, on October 27, 2023, defendant Christa M. Miller (“Miller”) filed her Consent to Stipulated Schedule [ECF No. 161], whereby the time within which Miller may answer, move, or otherwise respond to the Amended Complaint was December 15, 2023;

WHEREAS, on December 13, 2023, Plaintiffs and Miller filed a *Stipulation and Order Extending Time to Respond to the Amended Complaint Between Plaintiffs & Defendant Christa M. Miller* [ECF No. 196] (the “First Stipulation”);

WHEREAS, on December 14, 2023, the Court so-Ordered the First Stipulation [ECF No. 199], whereby the time within which Miller may answer, move, or otherwise respond to the Amended Complaint was extended to January 16, 2024;

WHEREAS, on January 12, 2024, Plaintiffs and Miller filed a *Second Stipulation and Order Extending Time to Respond to the Amended Complaint Between Plaintiffs & Defendant Christa M. Miller* [ECF No. 228] (the “Second Stipulation”); and

WHEREAS, on January 16, 2024, the Court so-Ordered the Second Stipulation [ECF No. 230], whereby the time within which Miller may answer, move, or otherwise respond to the Amended Complaint was extended to February 15, 2024;

WHEREAS, a Restated Amended Complaint was filed on February 14, 2024 [ECF No. 257];

WHEREAS, on February 15, 2024, Plaintiffs and Miller filed a *Third Stipulation and Order Extending Time to Respond to the Amended Complaint Between Plaintiffs & Defendant Christa M. Miller* [ECF No. 267] (the “Third Stipulation”);

WHEREAS, on February 16, 2024, the Court so-Ordered the Third Stipulation [ECF No. 270], whereby the time within which Miller may answer, move, or otherwise respond to the Amended Complaint was extended to March 15, 2024;

WHEREAS, on March 15, 2024, Plaintiffs and Miller filed a *Fourth Stipulation and Order Extending Time to Respond to the Amended Complaint Between Plaintiffs & Defendant Christa M. Miller* [ECF No. 284] (the “Fourth Stipulation”);

WHEREAS, on March 15, 2024, the Court so-Ordered the Fourth Stipulation [ECF No. 286], whereby the time within which Miller may answer, move, or otherwise respond to the Amended Complaint was extended to April 7, 2024;

WHEREAS, on April 5, 2024, Plaintiffs and Miller filed a *Fifth Stipulation and Order Extending Time to Respond to the Amended Complaint Between Plaintiffs & Defendant Christa M. Miller* [ECF No. 301] (the “Fifth Stipulation”);

WHEREAS, on April 5, 2024, the Court so-Ordered the Fifth Stipulation [ECF No. 304], whereby the time within which Miller may answer, move, or otherwise respond to the Amended Complaint was extended to April 26, 2024;

WHEREAS, on April 17, 2024, the Court entered the *Third Amended Scheduling Order for Motions to Dismiss* [ECF No. 311] adjourning the May 21, 2024 hearing concerning the (i) 763 Defendants’ Motion to Dismiss Plaintiffs’ Amended Complaint and Alternative Motion to Stay [ECF Nos. 209 & 210]; (ii) Edwards Mill Asset Management’s Motion to Dismiss Amended Complaint [ECF No. 212]; and (iii) Pavonia Life Insurance Company of Michigan and Axar

Capital Management L.P.’s Motion to Dismiss Amended Complaint [ECF Nos. 215 & 216] to September 24, 2024 at 10:00a.m.;

WHEREAS, on April 26, 2024, Miller filed her *Motion to Dismiss the Restated Amended Complaint Against Christa Miller* (“Miller Motion to Dismiss”) [ECF No. 318];

WHEREAS, on May 3, 2024, Plaintiffs and Miller filed a Stipulation and Order Concerning the Miller Motion to Dismiss [ECF No. 322];

WHEREAS, on May 6, 2024, the Court so-Ordered the Stipulation and Order Concerning the Miller Motion to Dismiss [ECF No. 323], whereby the time within which Plaintiffs may oppose the Miller Motion to Dismiss was extended to July 26, 2024;

WHEREAS, on July 24, 2024, Plaintiffs and Miller filed a Second Stipulation and Order Concerning the Miller Motion to Dismiss (“Second Stipulation”) [ECF No. 342];

WHEREAS, on July 25, 2024, the Court so-Ordered the Second Stipulation [ECF No. 343], whereby the time within which Plaintiffs may oppose the Miller Motion to Dismiss was extended to August 14, 2024;

WHEREAS, on August 14, 2024, Plaintiffs and Miller filed a Third Stipulation and Order Concerning the Miller Motion to Dismiss (“Third Stipulation”) [ECF No. 451]; and

WHEREAS, on August 15, 2024, the Court so-Ordered the Third Stipulation [ECF No. 467], whereby the time within which Plaintiffs may oppose the Miller Motion to Dismiss was extended to August 23, 2024.

IT IS HEREBY STIPULATED AND ORDERED, AS FOLLOWS:

1. Plaintiffs must file and serve their opposition to the Miller Motion to Dismiss on or before August 30, 2024.

2. Miller must file and serve her reply in support of the Miller Motion to Dismiss on or before September 16, 2024.

3. The hearing on the Miller Motion to Dismiss shall be held on September 24, 2024 at 10:00 a.m.

4. This Stipulation is without prejudice to a party's right to seek future scheduling Orders or extensions of any deadlines with supporting unanticipated good cause shown, and a party's right to oppose.

5. This Stipulation may be executed in counterparts, each of which when executed and delivered to another party shall be deemed an original. The counterparts evidencing full execution by the parties shall constitute one instrument. Delivery of an executed counterpart by electronic transmission shall be as effective as delivery of any original executed counterpart.

Dated: August 23, 2024

STEVENS & LEE, P.C.

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Counsel for Christa M. Miller

SO ORDERED,

Dated: August 26, 2024
New York, New York

/s/ Lisa G. Beckerman
THE HONORABLE LISA G. BECKERMAN
UNITED STATES BANKRUPTCY JUDGE